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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David W. Biessener; Confirmation No. 9997  
Gaston R. Biessener;  
Michael T. Checky  
Serial No.: 10/020,086  
Filed: December 14, 2001 Customer No.: 28863  
Examiner: Stephen C. Elmore  
Group Art Unit: 2186  
Docket No.: 1009-003US01  
Title: DATA BACKUP AND RESTORATION USING DYNAMIC VIRTUAL  
STORAGE

CERTIFICATE UNDER 37 CFR 1.8: I hereby certify that this correspondence is being deposited with the United States Post Service, as First Class Mail, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on June 23, 2004.

By:

*Angela Watson*  
Name: Angela S. Watson

MAIL STOP Amendment  
Commissioner for Patents  
Alexandria, VA 22313-1450

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JUN 30 2004

Technology Center 2100

Sir:

We are transmitting herewith the attached correspondence relating to this application:

- ☒ Transmittal sheet containing Certificate of Mailing
- ☒ Amendment (15 pgs.)
- ☒ No additional fee is required
- ☒ Replacement Drawings – Figures 5, 8, 11 and 13
- ☒ Return postcard

Please apply any charges not covered, or any credits, to Deposit Account No. 50-1778.

Date:

*June 23, 2004*

By:

*Kent J. Sieffert*

Name: Kent J. Sieffert

Reg. No.: 41,312

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Applicant:	David W. Biessener; Gaston R. Biessener; Michael T. Checky	Confirmation No.	9997
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**AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**  
JUN 30 2004  
Technology Center 2100

Dear Sir:

In response to the Office Action mailed May 5, 2004, the period of response for which runs through August 5, 2004, please amend the application as follows.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Amendments to the Drawings** begin on page 12 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.

**Remarks/Arguments** begin on page 13 of this paper.

An **Appendix** including amended drawing figures is attached following page 15 of this paper.